IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA SAVANNAH DIVISION

AMERIS BANK, as assignee of the Federal Deposit Insurance Corporation, receiver of Darby Bank & Trust Co.,

Plaintiff,

v.

LEXINGTON INSURANCE CO.,

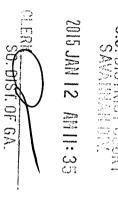
Defendant and Third-Party Plaintiff,

v.

COASTAL BIOFUELS, INC. and MARK D. LOFTON,

Third-Party Defendants.

CASE NO. CV413-241



ORDER

Before the Court is the parties' Stipulation of Dismissal Without Prejudice as to Third-Party Defendant Mark D. Lofton. (Doc. 40.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing "a stipulation of dismissal signed by all parties who have appeared." As requested, Third-Party Plaintiff Lexington Insurance Co.'s claims against Third-Party Defendant Lofton are DISMISSED WITHOUT PREJUDICE.

SO ORDERED this 22 day of January 2015.

WILLIAM T. MOORE, JR.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA